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Attorney Docket No. RSW920000141US1/5577-323

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Roberto DeLima et al.  
Application No.: 09/825,078  
Filed: April 3, 2001  
For: **QUALITY OF SERVICE IMPROVEMENTS FOR NETWORK TRANSACTIONS**

Conf. No.: 9743  
Group Art Unit: 2155  
Examiner: Benjamin R. Bruckart

Date: August 29, 2005

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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22313-1450 on August 29, 2005.

*David K. Purks*

**NOTICE OF APPEAL TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Pursuant to 35 USC § 134, 37 CFR § 41.31, and MPEP § 1205, the Applicant in the above-identified patent application hereby appeals to the Board of Patent Appeals and Interferences from the final Office Action dated June 3, 2005 and the Advisory Action dated August 2, 2005, at least twice rejecting or finally rejecting claims 1 – 4, 6 – 21, 23 – 34, 37 – 39 and 41 – 57.

Enclosed is a check in the amount of \$ \_\_\_\_\_ for the Appeal fee as provided by 37 C.F.R. § 41.20(b)(1).

Payment by credit card is requested. Form PTO-2038 is attached.

A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.

Also enclosed: Reasons in Support of Applicants' Pre-Appeal Brief Request for Review

The Commissioner is authorized to charge the \$500 fee and any additional fees that may be required or credit any overpayment to IBM's Deposit Account No. 09-0461.

Respectfully submitted,

David K. Purks  
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